

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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KEENEN PARKER,

Plaintiff,

- against -

ORDER

09 CV 910 (JG)(LB)

DETECTIVE WILLIAM HOGAN; POLICE
OFFICER ANDREA SIMMONDS; and POLICE
OFFICER HALE,

Defendants.

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BLOOM, United States Magistrate Judge:

By letter dated November 10, 2009, defendants' counsel states that “[u]pon information and belief, Police Officer Andrea Simmonds has not been served with a copy of the summons and complaint and is therefore not a party to this action.” Document 25 n. 1. However, the United States Marshals Service has filed a Process Receipt and Return which reflects that on August 5, 2009, a “Sgt Smith # 3612” accepted service on behalf of defendant Simmonds. Document 26. As the other defendants have been granted leave to move to dismiss the amended complaint by December 16, 2009, counsel should investigate the status of service on defendant Simmonds and take appropriate action.

SO ORDERED.

/S/

LOIS BLOOM
United States Magistrate Judge

Dated: November 16, 2009
Brooklyn, New York